

Message Text

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ACTION ARA-10

INFO OCT-01 ISO-00 DHA-02 IO-13 SY-05 SCA-01 MCT-01
AID-05 CIAE-00 DODE-00 PM-04 H-01 INR-07 L-03
NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06
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-----072046Z 068100 /73

R 062056Z MAY 77
FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC 0381

C O N F I D E N T I A L BUENOS AIRES 3364

E.O. 11652: XGDS-2
TAGS: SHUM, PINS, AR
SUBJECT: AMNESTY INTERNATIONAL REPORT ON ARGENTINA

REF: STATE 088046

1. EVALUATION OF AMNESTY REPORT DEPENDS UPON SEPARATION OF SUBSTANCE OF THIS PARTICULAR REPORT FROM MORE GENERAL IMPRESSIONS OF EACH READER ABOUT INDEPENDENCE OR BIAS OF AMNESTY AS AN ORGANIZATION. MANY CRITICS IN ARGENTINA FEEL REPORT IS NOT BALANCED IN SENSE IT DOES NOT ADDRESS TERRORISM OF GUERRILLA GROUPS AND THEIR RECORD OF HUMAN RIGHTS VIOLATIONS EXCEPT IN A BRIEF INDRODUCTORY REFERENCE INTENDED FOR BACKGROUND PURPOSES AND ONE OR TWO OTHER PASSAGES. REPORT'S INTRODUCTION INCLUDES UNSYMPATHETIC HISTORY OF LEFTIST AND RIGHTIST TERRORIST GROUPS AND LISTS MORE NOTABLE ATROCITIES OF MONTONEROS AND ERP SINCE 1976 MILITARY COUP, BUT REPORT TAKEN ALONE DOES NOT, AND OBVIOUSLY DOES NOT PRETEND TO, PROVIDE FULL UNDERSTANDING OF SITUATION IN ARGENTINA. AMNESTY WOULD INSIST, HOWEVER, THAT IT FOCUS IS, AND MUST BE, ON CRIMES COMMITTED BY GOVERNMENTS AGAINST THEIR OWN CITIZENS AND NOT UPON THOSE OF OUTLAW TERRORIST ORGANIZATIONS.

2. IF ATTENTION IS FOCUSED ON SUBSTANCE BY THIS PARTICULAR
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REPORT, SETTING ASIDE ARGUMENT OVER AMNESTY ITSELF AS AN ORGANIZATION AND ITS SELECTIVE POLICY OF ATTACK ON HUMAN RIGHTS VIOLATIONS OF GOVERNMENTS ALONE, WE CANNOT TAKE ISSUE WITH GENERAL CONSLUSIONS OR RECOMMENDATIONS OF REPORT.

3. ASSESSMENT OF SECURITY LAWS ISSUED BY GOA IS FOR MOST PART

REASONABLE. ESTIMATE OF NUMBERS OF KNOWN POLITICAL PRISONERS ON PAGE 17 IS VERY CLOSE TO ICRC REGISTERED FIGURE OF 4,250. AMNESTY ESTIMATE OF TOTAL NUMBER OF POLITICAL PRISONERS IN COUNTRY, GIVEN AS 5000 TO 6000, IS REASONABLE, AS LONG AS IT IS UNDERSTOOD THAT TERM "POLITICAL PRISONERS" IN FACT INCLUDES PERSONS WHO MUST BE ACKNOWLEDGED TO BE TERRORIST SUSPECTS (BASED ON WIDELY RANGING DEGREES OF EVIDENCE), HARD-CORE TERRORISTS, OTHERS CONSIDERED BY THE GOA AS GUILTY OR SUSPECTED OF OTHER CRIMES, AND AN UNKNOWN NUMBER OF INNOCENTS.

4. IN DISCOUNTING ROLE OF JUDICIARY AS A CONTROL OR CHECK UPON THE EXECUTIVE, REPORT MIGHT HAVE ACKNOWLEDGED SEVERAL EFFORTS OF CERTAIN FEDERAL JUDGES TO INJECT ELEMENTS OF DUE PROCESS INTO PROCEDURES OF STATE OF SIEGE, EVEN IF THESE EFFORTS WERE LARGELY UNSUCCESSFUL.

5. AMNESTY ESTIMATES CONCERNING DISSAPPEARANCES APPEAR TO BE WITHIN REASONABLE RANGE, ALTHOUGH OF COURSE ALL OBSERVERS MUST GUESS; GOA DOES NOT RELEASE STATISTICS AND SOME PART OF DISAPPEARANCES ARE PROBABLY, AS IT CLAIMS, VOLUNTARY ACTIONS OF PERSONS WHO FOR ONE REASON OR ANOTHER DO NOT WISH TO DISCUSS STATUS WITH GOA.

6. TREATMENT OF DETENTION CONDITIONS, TORTURE, INVOLUNTARY REPATRIATION OF REFUGEES AND PRESENCE OF FOREIGN SECURITY PERSONNEL IN ARGENTINA IS BASED PRIMARILY ON TESTIMONY GIVEN AMNESTY BY VICTIMS, AND THUS AUTOMATICALLY RAISES QUESTION OF RELIABILITY. HOWEVER, TESTIMONY APPEARS FOR CONFIDENTIAL

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MOST PART TO BE ACCURATE REFLECTION OF CONDITIONS AS WE UNDERSTAND THEM.

7. LISTS OF PERSONS DISAPPEARED, "CASE HISTORIES", ETC., APPEAR TO BE CONSERVATIVE COMPILATIONS. WHILE WE CANNOT CONFIRM INFORMATION IN A MAJORITY OF CASES, OVERALL IMPRESSION IS ACCEPTABLE.

8. AMNESTY'S RECOMMENDATIONS (INSPECTION VISIT BY UN, PUBLICATION OF PRISONER LISTS, APPLICATION OF MINIMUM STANDARDS OF TREATMENT OF PRISONERS, PUNISHMENT OF THOSE RESPONSIBLE FOR ILLEGAL "DEATH SQUAD" KILLINGS, CESSATION OF TORTURE, INVESTIGATION OF DISAPPEARANCES, AND PROTECTION OF REFUGEES) ARE REASONABLE AND NOT DISSIMILAR TO RECOMMENDATIONS MADE BY US TO ARGENTINE OFFICIALS IN THE PAST.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: HUMAN RIGHTS, REPORTS, PARAMILITARY FORCES, TERRORISTS
Control Number: n/a
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Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: X2
Errors: N/A
Expiration:
Film Number: D770161-0935
Format: TEL
From: BUENOS AIRES
Handling Restrictions: n/a
Image Path:
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Litigation Code IDs:
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Office: ACTION ARA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 STATE 88046
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 04-Apr-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2620465
Secure: OPEN
Status: NATIVE
Subject: AMNESTY INTERNATIONAL REPORT ON ARGENTINA
TAGS: SHUM, PINS, AR, AI
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/40c78a99-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009